



MAYOR AND COUNCIL REGULAR MEETING NOTICE & AGENDA

The City of Tucson has a council-manager form of government. Policies are set by the Mayor and Council, who are elected by the people. Policies are carried out by the City Manager, who is appointed by the Mayor and Council. The Mayor and Council decides what is to be done; the City Manager, operating through the entire City staff, does it.

REGULAR COUNCIL MEETINGS

The Mayor and Council usually meet the first four Tuesdays of each month in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.

- Invocation and Pledge of Allegiance
- Presentations
- Summary of Current Events
- Liquor license applications
- Consent Agenda

- Call to the Audience. Individuals may speak up to three minutes. Call to the Audience will be limited to thirty minutes. Speakers may address any matter except items noticed as a Public Hearing.
- Public Hearings. Individuals may speak up to five minutes. Each public hearing is limited to one hour.
- Other Mayor and Council business as listed on the agenda for the meeting.

Copies of the agenda are available during the meeting. Additionally, the agenda, as well as reference documents, are available in the City Clerk's office prior to each meeting and on the City's web site : www.tucsonaz.gov/agdocs

Ordinances and resolutions (the laws of Tucson) are considered during regular meetings. Those adopted with the emergency clause and the affirmative vote of five members of the Council take effect immediately. Those adopted without the emergency clause take effect thirty days after passage. Unless the Mayor or a member of the Council requests that an ordinance or resolution be read in full, it is read by number and title only. Routine items are scheduled under the heading of Consent Agenda, which allows a number of actions to occur with a single motion.

To better serve everyone in the community, the Mayor and Council chambers is wheelchair accessible. An assistive listening system for the hearing impaired is in place and closed captioning is available on cable television. A request for reasonable accommodation for persons with disabilities must be made in the City Clerk's Office at least two working days prior to the meeting and can be made by calling 791-4213 or 791-2639 (TDD).

PARTICIPATION BY THE PUBLIC

As a courtesy to others, please turn off or put in vibrate mode all pagers and cell phones.

To address the Mayor and Council:

- Complete a speaker's card and deposit it in the tray on the podium. Upon being recognized, state your name and address before proceeding.
- Submit written comments to the Mayor and Council (via the City Clerk) prior to and during the meeting.
- Call the Mayor and Council Citizen Comment Line at 791-4700 or write the City's Web Site, www.tucsonaz.gov/agdocs. Your comments will be transcribed and distributed to the Mayor and Council.

Persons attending the meeting shall observe rules of propriety, decorum, and good conduct, and refrain from impertinent or slanderous remarks. Violation of this rule shall result in such persons being barred from further audience before the governing body. A copy of the complete rules and regulations may be obtained from the City Clerk.

Robert E. Walkup – Mayor
Kathleen Dunbar – Vice Mayor

Council Members

José J. Ibarra **Ward 1**
Carol W. West **Ward 2**
Kathleen Dunbar **Ward 3**

Shirley C. Scott **Ward 4**
Steve Leal **Ward 5**
Fred Ronstadt **Ward 6**

Revisions to the agenda can occur up to 24 hours prior to the meeting. Contact the City Clerk at 791-4213 (TDD: 791-2639), FAX: 791-4017 or WEB SITE: www.tucsonaz.gov/agdocs, 9th floor, City Hall, 255 W. Alameda for up-to-date information Monday through Friday, 8:00 a.m. to 5:00 p.m. [holidays excepted]. Live coverage of the meeting is cablecast on Tucson 12. In addition, replays of the meetings are cablecast on Tucson 12 as follows:
Wednesdays – 9:00 p.m. Thursdays – 9:00 a.m. Sundays – 9:00 a.m.
VHS tapes of meetings are available at the Tucson Main Library, 101 N. Stone.



MAYOR & COUNCIL MEETING NOTICE & AGENDA

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Mayor and Council and to the general public that the Mayor and Council will hold the following meeting which will be open to the public:

REGULAR MEETING

**TUESDAY, SEPTEMBER 27, 2005 – 5:30 P.M.
MAYOR AND COUNCIL CHAMBERS
(CITY HALL, 255 WEST ALAMEDA, TUCSON, ARIZONA)**

1. ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Jaime DeLeon, St. John’s United Methodist Church

PLEDGE OF ALLEGIANCE – Mayor, Council and public in attendance

PRESENTATION

- a. Presentation of Awards of Financial Reporting Achievement to Joyce Garland and Michael Hermanson of the Finance Department
- b. Presentation of *AmericanStyle* Magazine’s Top 25 Arts Destination Award

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

- a. Report from City Manager SEPT27-05-528 CITY-WIDE

4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS

- a. Report from City Manager SEPT27-05-529 CITY-WIDE

5. LIQUOR LICENSE APPLICATIONS

a. Report from City Manager SEPT27-05-531 CITY-WIDE

b. Liquor License Applications

New License

NOTE: There are no applications for licenses scheduled for this meeting.

c. Special Event

1. St. Cyril of Alexandria Parish, Ward 6
4725 E. Pima Street
Applicant: Jake A. Herrera
City T81-05
Date of Event: October 13, 14, 15, 16, 2005
Fundraiser for Parish & School

Staff has indicated the applicant is in compliance with city requirements.

2. Southern Az. Assoc. for the Visually Impaired (SAAVI), Ward 3
3767 E. Grant Road
Applicant: Michael O. Gordon
City T82-05
Date of Event: October 7, 2005
Fundraising

Staff has indicated the applicant is in compliance with city requirements.

PUBLIC OPINION: PROTESTS FILED

3. Congress Street Historic Theatres Foundation, Ward 6
318 E. Congress Street
Applicant: Douglas William Biggers
City T85-05
Date of Event: October 8, 2005
Downtown live music event

Staff has indicated the applicant is in compliance with city requirements.

4. Tucson Medical Center Foundation, Ward 1
3645 W. Starr Pass Blvd.
Applicant: Colleen Hillary Cullison
City T86-05
Date of Event: October 7, 2005
Fundraiser for Children's Miracle Network at TMC

Staff has indicated the applicant is in compliance with city requirements.

5. Tucson Medical Center Foundation, Ward 1
3800 W. Starr Pass Blvd.
Applicant: Colleen Hillary Cullison
City T87-05
Date of Event: October 7, 2005
Fundraiser for Children's Miracle Network at TMC

Staff has indicated the applicant is in compliance with city requirements.

6. The University of Arizona Foundation, Ward 6
1301 E. University Blvd.
Applicant: Dana L. Wier
City T90-05
Date of Event: October 1, 2005
Recognition of participants in Campaign Arizona

Staff has indicated the applicant is in compliance with city requirements.

6. **CONSENT AGENDA – ITEMS A THROUGH I**

FOR COMPLETE DESCRIPTION OF ITEMS **SEE ATTACHED CONSENT AGENDA**

Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired by members of the governing body, that item will be removed from the Consent Agenda and will be considered separately.

7. CALL TO THE AUDIENCE

At this time, any member of the public is allowed to address the Mayor and City Council on any issue except for items scheduled for a public hearing at the meeting. Speakers are limited to three minute presentations. Speakers must state their name, address, whether they reside in the City of Tucson, whom they represent, and the subject matter. Any person who is representing a person other than themselves and is receiving compensation to influence an action by the Mayor and Council, shall, before speaking, identify themselves as a "retained speaker". Pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during "call to the audience".

8. PUBLIC HEARING: MISSION PLACE NO. 1 ANNEXATION DISTRICT

- a. Report from City Manager SEPT27-05-523 WARD 1
- b. Hearing on proposed annexation district located south of Ajo Way and west of Mission Road. The area is comprised of 61.4 acres or 0.096 square miles.

The City Manager recommends that the Mayor and Council direct staff to proceed with the Mission Place No. 1 Annexation District.

9. ZONING: (C9-05-16) HOGE – NEBRASKA STRAVENUE, I-1 TO R-1, CITY MANAGER'S REPORT AND ORDINANCE ADOPTION

- a. Report from City Manager SEPT27-05-524 WARD 5
- b. Report form Zoning Examiner dated September 9, 2005
- c. Request to rezone approximately 2.15 acres from I-1 (Light Industrial) to R-1 (Urban, Low-density Residential) zoning. Applicant: Carl Winters of Planning Resources, on behalf of the property owner, Walter Hoge.

The rezoning site is located on the north side of Nebraska Stravenue, between Bantam Road and Madison Stravenue. The applicant proposes to construct 12, one- and two-story single-family residences on 2.15 acres for a density of 5.6 residences per acre.

The Zoning Examiner recommends approval of the R-1 zoning. The City Manager recommends approval of R-1 zoning subject to certain conditions and adoption of the attached ordinance.

Zero (0) written approvals and zero (0) written protests were received prior to the Zoning Examiner's public hearing on August 25, 2005.

- d. Ordinance No. 10200 relating to zoning: amending the zoning district boundaries on the area located on the north side of Nebraska Stravenue, between Bantam Road and Madison Stravenue in Case C9-05-16, Hoge – Nebraska Stravenue, I-1 to R-1; and setting an effective date.

A simple majority vote will be necessary to pass and adopt the attached ordinance.

10. ZONING: (C9-05-14) KB HOME – 22ND STREET, RX-1 TO R-2, CITY MANAGER’S REPORT AND ORDINANCE ADOPTION

- a. Report from City Manager SEPT27-05-532 WARD 2
- b. Report from Zoning Examiner dated September 9, 2005
- c. Request to rezone approximately 3.4 acres from RX-1 (Suburban Low-density Single-family Residential) to R-2 (Medium-density Residential) zoning. Applicant: Linda Morales of The Planning Center, on behalf of the property owner, KB Home.

The rezoning site is located on the north side of 22nd Street, approximately 600 feet east of Prudence Road. The applicant proposes to construct 20 two-story single-family residences on 3.4 acres for a density of 5.9 residences per acre.

The Zoning Examiner recommends approval of the R-2 zoning. The City Manager recommends approval of the R-2 zoning subject to certain conditions and adoption of the attached ordinance.

Nine (9) written approvals and four (4) written protests were received prior to the Zoning Examiner’s public hearing on August 25, 2005.

- d. Ordinance No. 10201 relating to zoning: amending zoning district boundaries in the area located on the north side of 22nd Street, approximately 600 feet east of Prudence Road in Case C9-05-14, KB Home – 22nd Street, RX-1 to R-2; and setting an effective date.

A simple majority vote will be necessary to adopt the attached ordinance.

11. DEVELOPMENT SERVICES: APPROVING CONSTRUCTION PERMIT FEE CREDITS FOR INSTALLATION OF CERTAIN SOLAR ENERGY SYSTEMS

- a. Report from City Manager SEPT27-05-540 CITY-WIDE
- b. Resolution No. 20193 relating to development; approving construction permit fee credits for installation of certain Solar Energy Systems; and declaring an emergency.

12. TUCSON CODE: AMENDING (CHAPTER 27) RELATING TO ADOPTION OF THE DIAMOND BELL ISOLATED WATER SYSTEM FEE

- a. Report from City Manager SEPT27-05-539 OUTSIDE CITY
- b. Ordinance No. 10202 relating to Water; authorizing the adoption of a Diamond Bell Isolated Water System fee by amending Chapter 27, Article II, Section 27-36(b) of the Tucson Code by adding Section 27-36(b)(3); and declaring an emergency.

13. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

- a. Report from City Manager SEPT27-05-530 CITY-WIDE

14. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, October 4, 2005, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.